

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KANA INVESTMENT CORP.,

Plaintiff,

v.

Case No. 12-cv-13689

HONORABLE STEPHEN J. MURPHY, III

FEDERAL DEPOSIT INSURANCE
CORPORATION and NORTH CRE
VENTURE 2010-2, LLC,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION (docket no. 9), **AND**
DENYING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT (docket no. 7)

This matter is before the Court on Plaintiff's motion for entry of Default Judgment to Quiet Title (docket no. 7). The Court referred the motion to a magistrate judge, who issued a report and recommendation on July 10, 2013, recommending the Court deny the motion because defendant North CRE Venture 2010-2, LLC is a limited liability company that was not properly served pursuant to Civil Rule 4. The magistrate judge notes that Plaintiff did not effect personal service on an officer, director, or resident agent of the company.

Copies of the Report were served upon the parties on July 10, 2013. Pursuant to Civil Rule 72(b)(2), Plaintiff had fourteen days from that date in which to file any specific written objections to the recommended disposition. No objections have been filed. See Fed. R. Civ. P. 72(b)(3) (requiring de novo review by a district judge only for "any part of the magistrate judge's disposition that has been properly objected to").

Accordingly, the Court will deny Plaintiff's motion for default judgment as to North CRE Venture 2010-2, LLC and order Plaintiff to file proof that this Defendant has been served

in compliance with Civil Rule 4, within 7 days of the date of this Order. Failure to comply with the terms of this Order will result in dismissal of the complaint as to this Defendant without prejudice and without further notice or hearing.

WHEREFORE it is hereby **ORDERED** that the report and recommendation (docket no. 18) is **ADOPTED** and Plaintiff's motion for default judgment (docket no.) is **DENIED**.

SO ORDERED.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: August 8, 2013

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 8, 2013, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Case Manager